



1021.43414X00

*jm*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: C. UEMATSU, et al.  
Serial No: 10/759,179  
Filed: JANUARY 20, 2004  
Title: METHOD FOR EXPRESSED GENE ANALYSIS AND PROBE  
KIT FOR EXPRESSED GENE ANALYSIS  
Group AU: 1637  
Examiner: Stephanie Kane Mummert  
Confirm. No: 7828

**REQUEST FOR CLARIFICATION  
AND FOR COMPLETE OFFICE ACTION**

**Mail Stop: AMEND – NO FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 5, 2006

Sir:

The Office Action mailed June 13, 2006, in connection with the above-identified application, is noted. All of the prior art rejections therein apply the teachings of "Wenz et al.", which the Examiner indicates is a U.S. PgPub with a date of October 2003, as the primary reference. However, the Examiner has not indicated the publication number of Wenz, et al., or the specific publication date and does not appear to have set forth Wenz, et al. on any Form or PTO-892 in the above-identified application. It is also to be noted that, apparently, Wenz, et al. has not been listed on any Form PTO/SB/08A of any Information Disclosure Statement in connection with the above-identified application. Accordingly, the reference of Wenz, et al. being applied by the Examiner cannot be determined; and, accordingly, the Office Action mailed June 13, 2006, is incomplete.

In view of the foregoing, it is respectfully requested that the Examiner issue a new, complete Office Action, clarifying the reference of Wenz, et al. being applied,

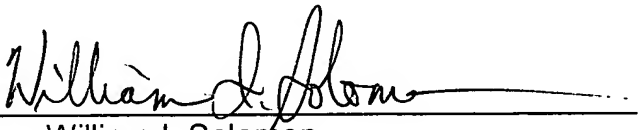
including setting forth the publication number thereof and complete publication date thereof; and also setting forth Wenz, et al. on a Form PTO-892. In addition, it is respectfully requested that the Examiner re-set the date for response, to begin from the date of mailing the complete Office Action in the above-identified application, setting forth the publication data of Wenz, et al. referred to previously.

Favorable action by the Examiner consistent with the foregoing requests is respectfully solicited.

Kindly charge any shortage in fees due in connection with the filing of this paper to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case 1021.43414X00), and credit any excess payment of fees to such Deposit Account.

Respectfully submitted,

**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By   
William I. Solomon  
Registration No. 28,565

WIS/ksh  
1300 N. Seventeenth Street  
Suite 1800  
Arlington, Virginia 22209  
Tel: 703-312-6600  
Fax: 703-312-6666